

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates

Application 04-09-019
(Filed September 20, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
DELAYING FILING OF PROTESTS UNTIL A PROPONENT'S
ENVIRONMENTAL ASSESSMENT IS FILED**

On September 20, 2004, California-American Water Company (Cal-Am) filed this application which, among other things, seeks to increase rates to fund a proposed Coastal Water Project. Because of the impact on rates, Rule 24 of the Commission's Rules of Practice and Procedure apply. Rule 24 requires that Cal-Am provide notice of its proposed rate increase in certain specified ways, including publishing notice in a newspaper of general circulation and through customer bill inserts. Because Cal-Am's application does not include a Proponent's Environmental Assessment, a necessary precursor to evaluating the merits of the proposed rate increase, on September 28, 2004, Chief Administrative Law Judge Minkin directed Cal-Am to suspend its efforts to comply with Rule 24 until further advised by myself, the assigned Commissioner, or Chief Administrative Law Judge.

For the same reasons, I find that protests to the application are premature. Pursuant to Rule 44.1, protests are normally due 30 days after notice of an application first appears on the Commission's Daily Calendar (in this case, October 25, 2004). By this ruling, I am notifying potential protestants that the 30 day clock for such filings will not be triggered until Cal-Am files its Proponent's Environmental Assessment.

Therefore, **IT IS RULED** that protests or responses to Application 04-09-019 are due 30 days after Cal-Am files its Proponent's Environmental Assessment, pursuant to Rule 44.1.

Dated October 18, 2004, at San Francisco, California.

/s/ MICHELLE COOKE
Michelle Cooke
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Delaying Filing of Protests Until a Proponent's Environmental Assessment is Filed on all parties of record in this proceeding or their attorneys of record.

Dated March 15, 2004, at San Francisco, California.

/s/ ERLINDA PULMANO

Erlinda A. Pulmano

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.